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IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE SEVENTEENTH DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

**THE HON'BLE MR JUSTICE N.V. RAMANA**

**WRIT PETITION NO: 23855 of 2004**

Between:

Avula Bujjamma, W/o. Venkateswarlu, Hindu,
R/o. Malavyanagara, West Gudur Village,
Gudur (M), Nellore (D).

**... PETITIONER**

AND

1 The Mandal Revenue Officer, Chillakur (M), Nellore District.
2 The Revenue Divisional Officer, Gudur.
3 The District Collector, Nellore.

**...RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to "Pass a Writ, Order or Direction, one in the nature of Writ of Mandamus, declaring the impugned Order Proceedings Rc.No. 25/04 dated 25-9-2004 issued by the 1st Respondent herein, is illegal, arbitrary and is liable to be interdicted by this Hon'ble Court.

**Counsel for the Petitioner: MR.D.SETHURAMI REDDY**

**Counsel for the Respondents: GP FOR REVENUE**

The Court, at the admission stage, made the following:

**ORDER:**

Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue appearing on behalf of the respondents and with their consent, the writ petition is being disposed of finally at the admission stage.

2. In this writ petition, petitioner is challenging the order dated 25-09-2004 passed by the first respondent in R.C.No.25/2004 in respect of Ac.0.80 cents of dry land comprised in Sy.No.263-4 and Ac.1.48 cents of dry land in Sy.No.263-5 of N.R. Palli Village, Chillakur Mandal, Nellore District. The impugned orders were passed by the first respondent in exercise of the powers under the provisions of A.P. Assigned Lands (Prohibition of Transfers) Act, 1977 (for short 'the Act').

3. Admittedly, against the impugned orders, the petitioner has an effective alternative remedy of filing an appeal before the Revenue Divisional Officer concerned and without availing the same, the petitioner has approached this Court in a posthaste manner.

4. In the circumstances, without going into the merits of the case, the writ petition is disposed of directing the petitioner to file an appeal along with a stay application before the second respondent - Revenue Divisional Officer, as against the impugned order passed by the first respondent, within a period of four weeks from today. The second respondent – Revenue Divisional Officer is directed to pass appropriate orders either on the stay application or dispose of the appeal itself, as expeditiously as possible. Till the disposal of the stay application, status quo existing as on today shall be maintained.

The writ petition is accordingly disposed of at the admission stage.

**N.V. RAMANA, J**

January 17, 2005

**MRR**

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

**Copy to:**

1 The Mandal Revenue Officer, Chillakur (M), Nellore District.
2 The Revenue Divisional Officer, Gudur.
3 The District Collector, Nellore.

4 Two C.C. s to the G.P. for Revenue, High Court Buildings,

Hyderabad (OUT)

5 Two C.D. Copies.